

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4499

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

QUAVINCE SHAMON MURRAY,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, Jr., Chief District Judge. (1:15-cr-00031-WO-1)

Submitted: March 16, 2016

Decided: April 13, 2016

Before WILKINSON, THACKER, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Louis C. Allen, Federal Public Defender, Mireille P. Clough, Assistant Federal Public Defender, Winston-Salem, North Carolina, for Appellant. Ripley Rand, United States Attorney, Terry M. Meinecke, Assistant United States Attorney, Winston-Salem, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Quavince Shamon Murray pled guilty to possession of a firearm by a convicted felon and was sentenced to 120 months' imprisonment in accordance with the Sentencing Guidelines, as capped by the statutory maximum term set forth in 18 U.S.C. § 924(a)(2) (2012). See U.S. Sentencing Guidelines Manual § 5G1.1(a) (2014). Murray argues that this sentence is substantively unreasonable.* "Any sentence that is within or below a properly calculated Guidelines range is presumptively reasonable," and this "presumption can only be rebutted by showing that the sentence is unreasonable when measured against the 18 U.S.C. § 3553(a) factors." United States v. Louthian, 756 F.3d 295, 306 (4th Cir.), cert. denied, 135 S. Ct. 421 (2014). We have reviewed the record and Murray's arguments and conclude that Murray has failed to rebut this presumption.

Accordingly, we affirm the judgment of the district court. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

* Although Murray's brief discusses the standard of review for procedural sentencing error, Murray does not allege that the district court committed any procedural error.